	250-002	56-LDD Docu	iment 1 Filed 01/20/	15 ( Dank 1 of 35	2.0
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The JS 44 civil cover sheet and provided by local rules of court purpose of initiating the civil de	I I his form, approved by t	he Judicial Conference o	or supplement the filing and service of the United States in September 1 FTHIS FORM.)	e of pleadings or other papers a 1974, is required for the use of	as required by law, except as the Clerk of Court for the
I. (a) PLAINTIFFS	·		DEFENDANTS		<b>800</b>
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(b) County of Residence of	First Listed Plaintiff	Philadelph	County of Residence	of First Listed Defendant	What Isha
(E)	CEPT IN U.S. PLAINTIFF CA	SES)	/	(IN U.S. PLAINTIFF CASES O	ŃLY) /
			THE TRACT	ONDEMNATION CASES USE THOSE LAND INVOLVED	IE ECCATION OF
(c) Attorneys (Firm Name, A	ddress, and Telephone Number	717848303	3, Attorneys (If Known)		
Sandra Thim	pson, ESE, Can	Office of Sin	dra Tampsin		
Sandra Thim, 351 East Prince	erst, PoBox1	901, York, PA,	(7/0)		
II. BASIS OF JURISDI	CTION (Place an "X" in O		III. CITIZENSHIP OF P	·	and One Box for Defendant)
□ 1 U.S. Government Plaintiff	Rederal Question (U.S. Government)	Not a Party)	Citizen of This State		
□ 2 U.S. Government Defendant	Diversity (Indicate Citizenshi	p of Parties in Item III)	Citizen of Another State	2	•
			Citizen or Subject of a Foreign Country	3 🛘 3 Foreign Nation	□ 6 □ 6
IV. NATURE OF SUIT		ly) RTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
□ 110 Insurance □ 120 Marine □ 130 Miller Act □ 140 Negotiable Instrument □ 150 Recovery of Overpayment ∞ Enforcement of Judgment □ 151 Medicare Act □ 152 Recovery of Defaulted Student Loans (Excludes Veterans) □ 153 Recovery of Overpayment of Veteran's Benefits □ 160 Stockholders' Suits □ 190 Other Contract □ 195 Contract Product Liability □ 196 Franchise    REAL PROPERTY   □ 210 Land Condemnation   □ 220 Foreclosure   □ 230 Rent Lease & Ejectment   □ 245 Tort Product Liability	PERSONAL INJURY  310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle Product Liability 360 Other Personal Injury 362 Personal Injury Medical Malpractice CIVIL RIGHTS 440 Other Civil Rights 411 Voting 42 Employment 43 Housing/ Accommodations	PERSONAL INJURY Product Liability  365 Personal Injury - Product Liability  367 Health Care/ Pharmaceutical Personal Injury Product Liability  368 Asbestos Personal Injury Product Liability  PERSONAL PROPER  370 Other Fraud  371 Truth in Lending  380 Other Personal Property Damage Product Liability  PRISONER PETITION Habeas Corpus:  463 Alien Detainee  510 Motions to Vacate Sentence	of Property 21 USC 881  690 Other  LABOR  710 Fair Labor Standards Act 720 Labor/Management Relations 740 Railway Labor Act 751 Family and Medical Leave Act 790 Other Labor Litigation	□ 422 Appeal 28 USC 158 □ 423 Withdrawal 28 USC 157  PROPERTY RIGHTS □ 820 Copyrights □ 830 Patent □ 840 Trademark  SOCIAL SECURITY □ 861 HIA (1395ff) □ 862 Black Lung (923) □ 863 DIWC/DIWW (405(g)) □ 864 SSID Title XVI □ 865 RSI (405(g))  FEDERAL TAX SUITS □ 870 Taxes (U.S. Plaintiff or Defendant) □ 871 IRS—Third Party 26 USC 7609	□ 375 False Claims Act □ 400 State Reapportionment □ 410 Antitrust □ 430 Banks and Banking □ 450 Commerce □ 460 Deportation □ 470 Racketeer Influenced and □ Corrupt Organizations □ 480 Consumer Credit □ 490 Cable/Sat TV □ 850 Securities/Commodities/ Exchange □ 890 Other Statutory Actions □ 891 Agricultural Acts □ 893 Environmental Matters □ 895 Freedom of Information Act □ 896 Arbitration □ 899 Administrative Procedure Act/Review or Appeal of Agency Decision □ 950 Constitutionality of State Statutes
290 All Other Real Property	☐-445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement	IMMIGRATION  □ 462 Naturalization Application □ 465 Other Immigration Actions		
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VI. CAUSE OF ACTIO	N Brief description of ca	use:	1	<u> </u>	01
VII. REQUESTED IN COMPLAINT:	Mal, croc	IS A CLASS ACTION		+	f demanded in complaint:
VIII. RELATED CASE IF ANY		JUDGE	\$ 500,000	DOCKET NUMBER	JAN 20 2015
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# UNITED STATES DISTRICT COURT

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FOR THE EASTERN D assignment to appropria	ISTRICT OF PENNSYLVANIA — DESIGNATION FORI te calendar.	M to be used by counsel to indicate the cate	gory of the case for the purpose of
Address of Plaintiff:	2654 South 70th St.	eet, Philadelphia	PA 19142
Address of Defendant:	750 Race Street, Ph	il-delphiz PA 19	106
Place of Accident, Inciden	t or Transaction: Philadelphia	,	
Trace of Accident, inciden		For Additional Space)	$\wedge$
Does this civil action invo	lve a nongovernmental corporate party with any parent corpora	ation and any publicly held corporation owning	10% or more of its stock?
(Attach two copies of th	e Disclosure Statement Form in accordance with Fed.R.Civ.P.	7.1(a)) Yes 🗆	No
Does this case involve mu	ltidistrict litigation possibilities?	Yes□	No
RELATED CASE, IF ANY			. /
Case Number:	Judge	Date Terminated:	<del>/                                    </del>
Civil cases are deemed rel	ated when yes is answered to any of the following questions:		
1. Is this case related to p	operty included in an earlier numbered suit pending or within	one year previously terminated action in this c	ourt?
		Yes□	No□
2. Does this case involve action in this court?	the same issue of fact or grow out of the same transaction as a	prior suit pending or within one year previous	y terminated
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	the validity or infringement of a patent already in suit or any ea		
terminated action in thi	s court?	Yes□	No□ ·
4. Is this case a second or	successive habeas corpus, social security appeal, or pro se civi	I rights case filed by the same individual?	•
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4. □ Antitrust		4. □ Marine Personal Inju	-
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Habeas Corpus		8. Products Liability	Asbestos
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1 Sanda	Thimpsin 635, counsel of record do hereby		may
1/ 1	vil Rule 93.2, Section 3(c)(1), that to the best of my knowledge	e and belief, the damages recoverable in this c	vil action case exceed the sum of
\$150,000.00 exclusive of i	nterest and costs; metary damages is sought.		,
Remei oulei than inc	/ damages is sought.		
DATE: // 70/	2015		7395°
	NOTE: A trial de novo will be a trial by jury only		1 A N I A A 2 D 1 E
I certify that, to my know	ledge, the within case is not related to any case now pendir	ng or within one year previously terminated	action in this court
except as noted above.		,	・ 、 p 、 、 v v v v v v v v v v v v v v v v
DATE: //7 0/	2015 Sandon Things	ic, 439 _8	4395
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CIV. 609 (5/2012)



# IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

### CASE MANAGEMENT TRACK DESIGNATION FORM

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	Telepho	ne	FAX Numb		E-Mail Address	٠,

(Civ. 660) 10/02

# THE LAW OFFICES OF SANDRA THOMPSON LLC

January 20, 2015

Clerk of Court, USDC 601 Market Street Philadelphia, PA 19106 15

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RE: Saharo Sacko v. City of Philadelphia Police Dept et al Initial Complaint

Dear Clerk:

I could not file online so please accept this complaint for filing. The filing fee of \$400.00 is enclosed.

Also enclosed is a self addressed postage prepaid envelope for the return of a time stamped copy.

Thank you.

Sincerely,

Sandra-Thompson, Esq.

Law Office of Sandra Thompson, LLC

CC client

351 East Princess Street, PO Box 1901, York, PA 17405

Case 2:15-cv-00256-LDD Document 1 Filed 01/20/15 Page 5 of 35





# UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SAHARO SACKO,

NO.

**Plaintiff** 

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V.

Jury Trial Demanded

CITY OF PHILADELPHIA POLICE DEPARTMENT,

CONFESOR NIEVES, MARTIN VINSON, and

JONATHAN RUTH,

Joint and Several Defendants

JAN 2 0, 2015)
ICHAZLA RUNE CO

## **COMPLAINT**

AND NOW on this 20th day of January, 2015, here comes Saharo Sacko, Plaintiff, by and through his counsel, Sandra Thompson, Esquire, to file this Complaint and who does state as follows:

# INTRODUCTION

1. This is an action at law to redress the deprivation under color of state law, ordinance, regulation, custom, or usage of a right, privilege and immunity secured to the Plaintiff by the Fourth, Fifth, and Fourteenth Amendments of the United States Constitution and 42 USC § 1983. Plaintiff also seeks redress for state actions.



## JURISDICTION AND VENUE

- 2. Pursuant to 28 USCA §§ 1331, 1343, and 1367 this Court has jurisdiction over the applicable provisions of the federal laws and of the United States Constitution, such as:
  - a. 42 USC §§ 1983;
  - b. the Fourth, Fifth, and Fourteenth Amendments of the United States

    Constitution;
  - c. the due process and equal protection clauses of the United StatesConstitution and laws of these United States;
- 3. The Court has pendent and supplemental jurisdiction over the state claims, as there is a common nucleus of operative facts between the state claims and the federal claims.
- 4. Venue is within the Eastern District Court of Pennsylvania because it is where all of the parties reside and where the various events complained of have occurred.

# **PARTIES**

- 5. Plaintiff is Saharo Sacko (hereinafter referred to as "Plaintiff"), a black male with a national origin from Diongaga, Mali, West Africa, who at all times relevant resides at 2654 South 70<sup>th</sup> Street, Philadelphia, Pennsylvania 19142.
- 6. Defendant, the City of Philadelphia Police Department (hereinafter referred to as "Department") has its principal headquarters located at Police Headquarters, 750 Race Street, Philadelphia, PA 19106 and it manages, directs, controls, creates, and implements policies, supervision, training, and discipline for the City of Philadelphia Police officers, which include codefendants.
- 7. Defendant Department fulfills the policing functions for the City of
  Philadelphia in that it owns, operates, manages, directs, controls, creates, and
  implements policies, supervision, training, and discipline for the Police
  Department, its officers and employees, which include the individual codefendant officers.
- 8. Defendant, Confesor Nieves, PR # 237973, Badge number 3954 (hereinafter referred to as "Nieves"), is believed to be a white male of Hispanic origin

who at all times pertinent hereto was a Police officer for the Department, whose principal place of business for the Department is in the 3<sup>rd</sup> District located at District Headquarters, 11th St and Wharton St., Philadelphia, PA 19147. He is being sued in his individual capacity as he abused his position and authority.

- 9. Defendant, Martin Vinson, PR # 231411, Badge number 4892 (hereinafter referred to as "Vinson"), is believed to be a African American male who at all times pertinent hereto was a Police officer for the Department, whose principal place of business for the Department is in the 3<sup>rd</sup> District located at District Headquarters, 11th St and Wharton St., Philadelphia, PA 19147. He is being sued in his individual capacity as he abused his position and authority.
- 10. Defendant, Jonathan Ruth, PR # 248037, Badge number 9232 (hereinafter referred to as "Ruth"), who at all times pertinent hereto was a Detective for the Department in the South Detective's Division whose principal place of business is 2301 S 24th St 2nd Fl., Philadelphia, Pennsylvania 19145. He is being sued in his individual capacity as he abused his position and authority.

11. Nieves, Vinson, and Ruth each acted in his official capacity as a police officers for the City of Philadelphia Police Department and had knowledge of and participated in the Constitutional violations against Plaintiff and caused injuries to Plaintiff as set forth below.

## **FACTS**

- 12. On January 18, 2013 through January 19, 2013, Plaintiff was operating a taxicab picking up clients and transporting them to their desired locations for a fee.
- 13. In the late evening of January 18, 2013 into the early morning hours of January 19, 2013, Plaintiff picked up James Edwards, Caucasian male, and transported him by taxicab to his desired location for a fee.
- 14. After dropping off James Edwards, Plaintiff picked up another client for transport for a fee.
- 15. The new client found the cellphone and gave it to Plaintiff.

- During the transport of the new client, Plaintiff was also contacted by his dispatcher and advised that his prior client, later discovered to be James Edwards, had forgotten his cellphone in the back of the taxicab.
- 17. According to Parking Authority policy which regulates taxicab drivers and lost and found property, Plaintiff had twenty-four hours to turn in the phone.
- 18. The procedure was for Plaintiff to turn the phone into a Parking Authority agent seen during his route or to drop it off at the office.
- 19. As it was a weekend, the Parking Authority was closed and James Edwards would not be able to obtain his cellphone until the next business day.
- 20. James Edwards did not want to wait, so he requested that Plaintiff would travel to his location to return the phone to him.
- 21. Plaintiff's dispatcher made the arrangements with James Edwards informing him that the return of the phone is a service performed for a fee.
- 22. As there was no actual fare or client, the Dispatcher calculated the amount that would be payable which was about \$17.00 and informed both Plaintiff and James Edwards.

- 23. After James Edwards agreed to pay the fee, Plaintiff was dispatched to return the phone to him.
- 24. When Plaintiff arrived to return the phone and collect the fee for his travel,

  James Edwards refused to pay the fee throwing around \$5.00 at Plaintiff.
- 25. After some discussion, James Edwards told Plaintiff that he was going to get the additional money.
- 26. Plaintiff remained in his taxicab waiting on James Edwards return.
- 27. Instead of James Edwards returning to Plaintiff, he called the police reporting that Plaintiff had stolen the cellphone.
- 28. Officers Nieves and Vinson responded to the call. (hereinafter referred to as "officers")
- 29. On January 19, 2013, after taking James Edwards statement, both officers immediately approached Plaintiff with weapons drawn ordering him out of the taxicab.
- 30. When Plaintiff questioned the officers as to why he was being arrested, the officers responded for him to shut up, pulled him out of the vehicle,

- physically assaulted Plaintiff including kneeing him in the groin to take him down to the ground.
- 31. The officers also responded to Plaintiff that if he did not like what was happening to him, then he can go back to his country.
- 32. Prior to handcuffing Plaintiff, the officers did not question Plaintiff or explain to him why he was under arrest or suspicion.
- 33. The officers knew nothing more than a white male made an accusation against a black male.
- 34. Once the officers finally explained to Plaintiff why he was arrested, Plaintiff explained that he was following the direction of his Dispatcher and company policy.
- 35. The officers failed to contact Plaintiff's dispatcher, the taxicab company, or the Parking Authority to confirm Plaintiff's account or company policies.
- 36. The officers transported Plaintiff to 8<sup>th</sup> and Race Streets and detained him for at least 16 hours.
- 37. Detective Ruth with supervisory authority over the 3<sup>rd</sup> District substantiated the acts done by Nieves and Vinson and the charges filed against Plaintiff.

- 38. Detective Ruth also interviewed James Edwards but failed to interview Plaintiff, Plaintiff taxicab company, the dispatcher and the Parking Authority.
- 39. The officers and Detective Ruth ignored or unjustly disregarded the communications attempts from Plaintiff's dispatcher and taxicab company who tried to support Plaintiff explaining what occurred contrary to James Edward's report.
- 40. Around January 19, 2013, with the agreement and support of each Defendant a written complaint with OTN N843810-2 was filed against Plaintiff alleging that he committed Theft By Unlawful Taking, 18 Pa CS § 3921A, Theft of Property Lost, 18 PA CS § 3924, Receiving Stolen Property, 18 PA CS § 3925.
- 41. Plaintiff was required to spend time and money taking time off from work to appear in court defending against the criminal charges.
- 42. The case was finally dismissed and disposed of after an appeal to the Common Pleas court, docketed as CP-51-CR-0010492-2013 and a jury trial whereas the jury found Plaintiff not guilty of all criminal charges on May 8, 2014. (A copy of the Trial Disposition and Dismissal Form and the Docket

- are attached hereto, incorporated herein as if stated in full and marked as Exhibit A)
- 43. Plaintiff suffered personal injury, severe emotions distress, lost wages, additional expenses, loss of life enjoyment, humiliation, harassment, and disparagement because of each Defendants' actions or failure to act.
- 44. Each Defendant's act or failure to act was willful, wanton, malicious and with reckless disregard of the consequences as to reveal a conscience and deliberate indifference to Plaintiff's constitutional protections and to the clear risk of injury to Plaintiff.
- 45. Because of Plaintiff's race and national origin, he was denied rights to due process and to equal protection under the law.
- 46. At all relevant times, Defendants were engaged in the investigative and administrative functions.
- 47. No reasonable police officer would believe that the actions and failures to acts of Nieves, Vinson and Ruth did not violate clearly established statutory or constitutional rights

48. There are no other remedies available to Plaintiff or all other remedies are inadequate.

# COUNT I- Violation of 42 USC §1983

# A. Failure to Train and Supervise; Deliberate Indifference

- 49. Paragraphs 1 through 48 are incorporated herein as if stated in full.
- 50. Defendant Ruth and the Department are policy makers for police officers and acting under the Color of State law they caused and contributed to the prosecution of Plaintiff.
- 51. Defendants Nieves and Vinson acted under the Color of State law while in their official capacity under the supervision of the Department.
- 52. Upon information and belief, Department completely failed to properly train and supervise Nieves, Vinson and Rith as police officers in procedures concerning identifications, investigations, seizure, and matters of sensitivity when dealing with a person with racial and ethnic differences to prevent the

- practice, policy or custom of racial profiling, and selective and malicious prosecution on the basis of race or national origin.
- 53. Upon information and belief, the training and supervision of the involved officers were inadequate and insufficient to prevent the practice, policy or custom of substituting skin color, race, or national origin for evidence as grounds for suspicion.
- 54. Upon information and belief, the training and supervision of the involved officers were inadequate and insufficient to prevent the practice, policy or custom of fabricating, embellishing, or omitting material information in affidavits to give the false or erroneous impression of probable cause for an arrest.
- 55. Upon information and belief, Defendant Department failed to train and supervise Nieves, Vinson and Ruth in procedures that would eliminate or at least minimize the risk of the constitutional violations and injuries suffered by Plaintiff as outlined herein.
- 56. Upon information and belief, Plaintiff suffered racial profiling, suspicion, detention, and selective and malicious prosecution because of his skin color,

- race and/or national origin which was a direct and proximate result of the Department's failure to train and supervise Nieves, Vinson and Ruth.
- 57. Upon information and belief, such failures were the result of deliberate indifference to the rights of racial and ethnic minorities with whom the Defendants have contact.
- 58. Upon information and belief, having received prior complaints of racial profiling and of searches and arrests lacking probable cause based on skin color, race or national origin, the Department knew or should have known that proper training, re-training and supervision of Nieves, Vinson and Ruth were necessary to prevent violations of Constitutional rights as suffered by Plaintiff.
- 59. Upon information and belief, the failures of the Department were due to a practice, custom or policy of indifference to the necessity of adequate training and supervision of their officers when dealing with persons of different racial and ethnic backgrounds and national origins.

- 60. Upon information and belief, as a direct and proximate cause of the aforesaid acts or failures to act, and the customs, policies, or usage, Plaintiff was denied his constitutional rights and was not afforded equal protections.
- 61. Defendants violated Plaintiff's rights that were clearly established by the Fourth, Fifth, and Fourteenth Amendments, the due process and equal protection clauses of the United States Constitution, and 42 USC § 1983.

WHEREFORE, Plaintiff respectfully requests judgment in his favor against each Defendant for compensatory and punitive damages plus attorney fees and costs in an amounts in excess of \$300,000.00 or as thought reasonable, as well as any other fair and equitable remedy.

# B. Deliberate Indifference in Policy and Customs

- 62. Paragraphs 1 through 61 are incorporated herein as if stated in full.
- 63. Upon information and belief, Defendant Department as policymaker for its officers and employees at all times relevant had a practice, policy and/or custom of shielding officers from complaints of citizens for racial profiling

- as a basis of suspicion in criminal investigations and of selective prosecution based on skin color, race or national origin.
- 64. Upon information and belief, Defendant Department at all times relevant set, reinforced or failed to correct a practice, policy and/or custom for its officers to focus investigations and/or prosecutions of persons based on their skin color, race or national origin.
- 65. Upon information and belief, Defendant Department at all times relevant set, reinforced or failed to correct a practice, policy and/or custom of using skin color, race or national origin as the primary reason to suspect that an individual has broken the law or to pursue prosecution.
- 66. Upon information and belief, Defendant Department set, reinforced or failed to correct within the police department a practice, policy or custom of fabricating, embellishing, or omitting material information in affidavits to give the false or erroneous impression of probable cause for an arrest.
- 67. Upon information and belief, Defendant Department at all times relevant set, reinforced or failed to correct policy and/or custom of acquiescing in unconstitutional practices of their officers in prior circumstances of racial

profiling and the practice of substituting skin color, race, ethnicity and/or national origin for evidence as grounds for suspicion or prosecution which allowed the constitutional abuses against Plaintiff to occur as alleged in this case.

- 68. Upon information and belief, Defendants Department at all times relevant set, reinforced or failed to correct a practice, policy and/or custom of inadequate response to an investigation of citizen complaints and an ineffective and inadequate response to offending officers.
- 69. Upon information and belief, as a direct and proximate cause of the aforesaid acts or failures to act, and the practice, customs, policies, or usage, Plaintiff was denied his constitutional rights and was not afforded due process or equal protections.

WHEREFORE, Plaintiff respectfully requests judgment in his favor against each Defendant for compensatory and punitive damages plus attorney fees and costs in an amounts in excess of \$300,000.00 or as thought reasonable, as well as any other fair and equitable remedy.

# COUNT II- 42 USC §1983 - Malicious Prosecution

- 70. Paragraphs 1 through 69 are incorporated herein as if stated in full.
- 71. Nieves, Vinson and Ruth subjected Plaintiff to malicious prosecution, in that:
  - a. they initiated a criminal proceeding or caused a criminal proceeding to be initiated against Plaintiff;
  - b. the criminal proceeding terminated in Plaintiff's favor;
  - c. the criminal proceeding was initiated without probable cause as no reasonable police officer would rely on the mere self-serving statements of James Edwards with performing an investigation to inquire of the taxicab company and of the Parking Authority which supervises and regulates taxicab drivers;
  - d. Nieves, Vinson and Ruth acted maliciously and/or for the purpose of harassing, intimidating, or racial profiling Plaintiff rather than for the purpose of bringing Plaintiff to justice.

e. Plaintiff was deprived of his liberty as: he was incarcerated; his activities were limited; he was required to attend all hearings; and he was required to report to court personnel until the case was dismissed.

WHEREFORE, Plaintiff respectfully requests judgment in his favor against each Defendant for compensatory and punitive damages plus attorney fees and costs in an amounts in excess of \$300,000.00 or as thought reasonable, as well as any other fair and equitable remedy.

## COUNT II- 42 USC §1983 - EXCESSIVE FORCE

- 72. Paragraphs 1 through 71 are incorporated herein as if stated in full.
- 73. Nieves and Vinson's physical assault upon Plaintiff amounted to an unreasonable seizure.
- 74. In light of the facts and circumstances confronting the officers, their amount and substance of force used against Plaintiff was objectionably unreasonable.
- 75. Plaintiff sustained a significant or meaningful physical injury which was a direct or foreseeable consequence to their actions.

WHEREFORE, Plaintiff respectfully requests judgment in his favor against each Defendant for compensatory and punitive damages plus attorney fees and costs in an amounts in excess of \$300,000.00 or as thought reasonable, as well as any other fair and equitable remedy.

Respectfully Submitted:

Law Office of Sandra Thompson, LLC PAID No. #84345

351 East Princess Street
P.O. Box 1901, York, Pennsylvania 17405
Tele: 717-848-3033; Fax: 717-854-2223
<a href="mailto:sthompsonLLC@gmail.com">sthompsonLLC@gmail.com</a>
Counsel for Plaintiff

#### Trial Disposition and Dismissal Form **Currently In County Prison** ARD Page: 1 of Intake given at time of Plea Standard Date: Plea Revo. (Prob./Parole) PSI Agent ICC Plea & Sentencing Court Rep. Initials: Trial **Bench Warrant Review Hearing** Case Assigned To: IPP Collections Initials: File # Presently on supervision with P.O. **DISPOSITION / COMMITMENT** Name: Sacko, Saharo D.A.: Philadelphia County District Attorney's Office DOB: 09/01/1964 Street, Sierra Thomas Disp.Authority: Race: Black Sex: Male SSN: 209-70-0374 Typing Date: Sentencing Date: Time: Court Room: 508 Defense Counsel: Thompson, Sandra liene PID: 0903283 48 Hrs: 90 Days: 30 Days: BAC: CRN Date: DOCKET COUNT - OFFENSE OFFENSE CODE DISPOSITION **FINES** OTN FINE RANGE GRADE DISPOSITION DATE COSTS **DATE of OFFENSE** PLEA SENTENCING DATE REST CP-51-CR-0010492-2013 1 - Theft By Unlaw Taking-Movable 18§3921§§A **Not Guilty** Costs/ Disposition Date: 05/08/2014 N 843810-2 Fines M1 Sentence Date: 07/24/2013 **EMSA** 01/19/2013 Disposing Authority: Street, Sierra MCARE Thomas Rest CP-51-CR-0010492-2013 2 - Theft Property Lost Etc By **Not Guilty** Costs/ Mistake Disposition Date: 05/08/2014 N 843810-2 Fines M1 Sentence Date: 07/24/2013 **EMSA** 01/19/2013 Disposing Authority: Street, Sierra MCARE Thomas Rest CP-51-CR-0010492-2013 99999 Unlaw 18§3921§§A Disposed at Lower Court Theft Costs/ Disposition Date: 08/23/2013 Taking-Movable Prop N 843810-2 Fines M1 Sentence Date: 07/24/2013 **EMSA** 01/19/2013 Disposing Authority: Williams, R MCARE Seth Rest CP-51-CR-0010492-2013 1853924 Disposed at Lower Court

Comments: ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt Jury trialdefendant adjudged NOT GUILTY by the jury.

18§3925§§A

M1

M1

N 843810-2

01/19/2013

N 843810-2

01/19/2013

CP-51-CR-0010492-2013

Issuing Authority

Seth

Seth

Disposition Date: 08/23/2013

Disposing Authority: Williams, R

Sentence Date: 07/24/2013

Disposed at Lower Court

Disposition Date: 08/23/2013

Disposing Authority: Williams, R

Sentence Date: 07/24/2013

CP-51-CR-0010492-2013 Comm. v. Sacko, Saharo

99999 - Theft Property Lost Etc By

99999 - Receiving Stolen Property

Mistake



**CPCMS 3573** 

Exhibit A

Printed: 5/8/2014 4:44 PM

Costs/

Fines

**EMSA** 

MCARE

Rest

Costs/

Fines

**EMSA** 

MCARE

Rest

#### DOCKET



Docket Number: CP-51-CR-0010492-2013

**CRIMINAL DOCKET** 

**Court Case** 

Commonwealth of Pennsylvania

Page 1 of 10

v. Saharo Sacko

CASE INFORMATION

Judge Assigned: Street, Sierra Thomas

OTN: N 843810-2

LOTN:

Initial Issuing Authority: Robert S. Blasi

Arresting Agency: Philadelphia Pd

Complaint/Incident #:

Case Local Number Type(s)

District Control Number

Date Filed: 08/19/2013

Initiation Date: 08/19/2013

Originating Docket No: MC-51-CR-0002862-2013

Final Issuing Authority:

Arresting Officer: Vinson, Martin L.

Case Local Number(s)

1303003648

0 04-4	- O	011 51	STATUS INFORMATION	1 D-1-	04/40/0040
Case Status:	Closed	Status Date	Processing Status	Arrest Date:	01/19/2013
		05/08/2014	Completed		
		05/08/2014	Awaiting Return of Bail		
		05/05/2014	Awaiting Trial		
		02/10/2014	Awaiting Trial Readiness Conference		
		01/04/2014	Awaiting Trial		
	V	10/15/2013	Awaiting Trial Readiness Conference	4 5	
		09/05/2013	Awaiting Trial		
		09/04/2013	Awaiting Arraignment		
		08/23/2013	Awaiting Formal Arraignment		
		08/19/2013	Awaiting Filing of Information	•	

Complaint Date: 01

01/19/2013

			CALENDAR E	/ENTS	
Case Calendar	Schedule_	<u>Start</u>	<u>Room</u>	Judge Name	<u>Schedule</u>
Event Type	Start Date	<u>Time</u>			<u>Status</u>
Formal Arraignment	09/09/2013	11:00 am	1104		Scheduled
Trial	10/08/2013	9:00 am	508	Judge Angelo J. Foglietta	Moved
Trial	10/15/2013	9:00 am	508	Judge Angelo J. Foglietta	Continued
Trial Readiness Conference	02/05/2014	9:00 am	508	Judge Angelo J. Foglietta	Moved
Trial Readiness Conference	02/05/2014	9:00 am	508	Judge Sierra Thomas Street	Scheduled
Trial .	02/10/2014	9:00 am	508	Judge Sierra Thomas Street	Continued
Trial	02/10/2014	9:00 am	508	Judge Angelo J. Foglietta	Moved
Trial Readiness Conference	04/30/2014	9:00 am	508	Judge Sierra Thomas Street	Scheduled
Trial	05/05/2014	9:00 am	508	Judge Sierra Thomas Street	Continued
Trial	05/07/2014	9:00 am	508	Judge Sierra Thomas Street	Continued
Trial	05/08/2014	9:00 am	508	Judge Sierra Thomas Street	Scheduled
				$C_{i,j}$	

CPCMS 9082

Printed: 01/19/2015

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Docket Number: CP-51-CR-0010492-2013

CRIMINAL DOCKET

**Court Case** 

Commonwealth of Pennsylvania

٧.

Page 2 of 10

Saharo Sacko

DEFENDANT INFORMATION

Date Of Birth:

09/01/1964

City/State/Zip: PHILA, PA 19142-1703

CASE PARTICIPANTS

Participant Type

<u>Name</u>

Probation Officer

Joyce, Joseph

Defendant

Sacko, Saharo

**Probation Officer** 

Hopkins-Bot, Katherine

BAIL INFORMATION

Sacko, Saharo
Bail Action

Date

Bail Type

Percentage

Amount

Nebbia Status: None

Set

01/19/2013

Nonmonetary

\$0.00

01/19/2013

Posting Date

				CHARGES	
<u>Seq.</u>	Orig Seq.	<u>Grade</u>	<u>Statute</u>	Statute Description	Offense Dt. OTN
1	4	M1	18 § 3921 §§A	Theft By Unlaw Taking-Movable Prop	01/19/2013 N 843810-2
2	5	M1	18 § 3924	Theft Property Lost Etc By Mistake	01/19/2013 N 843810-2
9999 <b>9</b>	1	M1	18 § 3921 §§A	Theft By Unlaw Taking-Movable Prop	01/19/2013 N 84 <b>38</b> 10-2
99999	2	M1	18 § 3924	Theft Property Lost Etc By Mistake	01/19/2013 N 843810-2
99999	3	M1	18 § 3925 §§A	Receiving Stolen Property	01/19/2013 N 843810-2
				DISPOSITION SENTENCING/PENALTIES	

# <u>Disposition</u>

<u>Case Event</u> <u>Sequence/Description</u>

Final Disposition

**Bail Posting Status** 

Posted

Offense Disposition
Sentence Date

**Disposition Date** 

Grade Section

<u>Sentencing Judge</u> <u>Sentence/Diversion Program Type</u>

Incarceration/Diversionary Period

Credit For Time Served Start Date

Sentence Conditions

#### Lower Court Proceeding (generic)

Information Filed 99,999 / Receiving Stolen Property 07/24/2013 Not Guilty

Guilty

Not Final M1

18 § 3925 §§ A

Blasi, Robert S. 99,999 / Theft By Unlaw Taking-Movable Prop 07/24/2013

M1

18 § 3921 §§ A

Blasi, Robert S. Probation

si. Robert S.

07/24/2013

07/24/2013

Min of 9.00 Months Max of 9.00 Months

99,999 / Theft Property Lost Etc By Mistake

**9 Months** Guilty

M1

18 § 3924

Blasi, Robert S.

**CPCMS 9082** 

07/24/2013

Printed: 01/19/2015

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Docket Number: CP-51-CR-0010492-2013

CRIMINAL DOCKET

**Court Case** 

Commonwealth of Pennsylvania

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Saharo Sacko

	ENTEN		

08/23/2013

05/08/2014

Not Guilty

Not Guilty

Disposition

Case Event Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

**Disposition Date** 

Offense Disposition

Added by Information

Added by Information

Disposed at Lower Court

**Grade** Section

Final Disposition

Not Final

М1

M1

M1

M1

M1

М1

M1

M1

M1

Final Disposition M1

Sentence Date

Credit For Time Served

18 § 3921 §§ A 18 § 3924

18 § 3925 §§ A

18 § 3921 §§ A

18 § 3921 §§ A

18 § 3925 §§ A

18 § 3921 §§ A

18 § 3924

18 § 3924

18 § 3924

Incarceration/Diversionary Period

Start Date

Merged

**Proceed to Court** 

Information Filed

**Defendant Was Not Present** 

1 / Theft By Unlaw Taking-Movable Prop 2 / Theft Property Lost Etc By Mistake

99,999 / Receiving Stolen Property

99,999 / Theft By Unlaw Taking-Movable Prop

99,999 / Theft Property Lost Etc By Mistake

**Not Guilty** Trial

Name:

Address:

Supreme Court No:

Phone Number(s):

215-686-8000

3 South Penn Square

Philadelphia, PA 19107

1 / Theft By Unlaw Taking-Movable Prop

2 / Theft Property Lost Etc By Mistake

99,999 / Receiving Stolen Property

99,999 / Theft By Unlaw Taking-Movable Prop

99,999 / Theft Property Lost Etc By Mistake

COMMONWEALTH INFORMATION

Office

Prosecutor

(Phone)

ATTORNEY INFORMATION

Name:

Sandra Ilene Thompson

Private

Supreme Court No:

084345

Rep. Status:

Active

Phone Number(s):

717-848-3033

(Phone)

717-848-3303

(Phone)

Address:

351 E Princess St PO Box 1901

York, PA 17405

Representing: Sacko, Saharo

ENTRIES

Sequence Number

**CP Filed Date** 

Philadelphia County District Attorney's

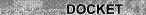
**Document Date** 

Filed By

**CPCMS 9082** 

Printed: 01/19/2015

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**CRIMINAL DOCKET** 

**Court Case** 

Commonwealth of Pennsylvania v.

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	_	Saharo Sacko	
		ENTRIES	
Sequence Number	CP Filed Date	<u>Document Date</u>	Filed By
1	08/19/2013		Unknown Filer
Appeal			. 1
1	08/23/2013		Commonwealth of Pennsylvania
Information Filed		(	4
1	09/04/2013		Thompson, Sandra llene
Waiver of Appearance		•	rionipoon, outlets note
4	09/05/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			Filliadeiphia County
7	09/05/2013	t.	Court of Common Pleas - Philadelphia County
Hearing Notice			Filliducipilia County
8	09/05/2013	w.,	Court of Common Pleas - Philadelphia County
Hearing Notice			1 madelphia deathy
			*  
3	10/15/2013	,	Court of Common Pleas - Philadelphia County
Hearing Notice		· Marian	Prinadelphia County
5	10/15/2013		Court of Common Pleas - Philadelphia County
Hearing Notice			т (праворна обыту

CPCMS 9082

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Docket Number: CP-51-CR-0010492-2013

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**Court Case** 

Commonwealth of Pennsylvania

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Saharo Sacko
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Sequence Number

CP Filed Dat

**Document Date** 

Filed By

6

10/15/2013

Foglietta, Angelo J.

Defense Attorney Accepts Service - Defendant Failed to Appear

Advance Defense Request- defendant is on religious holiday.

Defendant also needs SONINKE LANGUAGE INTERPRETER.

Commonwealth is ready on call.

List for trial readiness conference on 02/05/2014.

List for Jury trial on 02/10/2014.

NCD-02/05/2014 Rm 508.

Earliest Possible Date given

Hon. Angelo J. Foglietta

ADA- Megan McDonald/ Def- Sandra I. Thompson, Esq./ Ct. Rept- Monica Vasquez/ Ct. Clk- Lisa Corbitt

Defendant on bail/ served for the next listing

1

12/16/2013

Court of Common Pleas -

Philadelphia County

**Hearing Notice** 

2

12/30/2013

Court of Common Pleas -

Philadelphia County

**Hearing Notice** 

3

01/04/2014

Court of Common Pleas -

Philadelphia County

**Hearing Notice** 

1

02/05/2014

Street, Sierra Thomas

Trial Date to Remain

Soninke Interpreter has been confirmed as being ordered for defendant.

NCD- 02/10/2014 Rm 508.

Earliest Possible Date given

Hon. Sierra Thomas Street

ADA- Kate McDermott/ Def- Sandra I. Thompson, Esq./ Ct. Rept- Mo Prak/ Ct. Clk- Lisa Corbitt

Defendant on bail/ previously served for the next listing

1

02/10/2014

CP Courtroom Operations

Trial Continued

**CPCMS 9082** 

Printed: 01/19/2015

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Saharo Sacko

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**CP Filed Date** 

**Document Date** 

Filed By

02/10/2014

Court of Common Pleas -

Philadelphia County

Hearing Notice

02/10/2014

Court of Common Pleas -

Philadelphia County

**Hearing Notice** 

02/10/2014

Street, Sierra Thomas

Order Granting Motion for Continuance

Defense Request- SONINKE Interpreter needed for the defendant was unable to get to court today due to inclement weather.

Commonwealth is ready for trial.

Time ruled excludable.

List for Trial Readiness Conference on 04/30/2014.

List for Jury trial on 05/05/2014.

NCD-04/30/2014 Rm 508.

Earliest Possible Date given

Hon. Sierra Thomas Street

ADA- Kate McDermott/ Def- Sandra I. Thompson, Esq./ Ct. Rept- Mo Prak/ Ct. Clk- Lisa Corbitt

Defendant on bail served for the next listing

04/30/2014

Street, Sierra Thomas

Status Listing

Commonwealth has no contact w/witness

Defense will be ready for trial

Trial Date of 5/5/14 to remain

J. Street; ADA: Koneski; Def Co: S. Thompson; Steno: M. Prak; Clerk: J. Misunas

05/05/2014

Trial Continued

**CP Courtroom Operations** 

**CPCMS 9082** 

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CRIMINAL DOCKET

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v. Saharo Sacko

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4

05/05/2014

Document Date

Street, Sierra Thomas

Commonwealth Motion - Civilian Witness Notified but Failed to Appear

Court is also on trial, Commonwealth vs. Raymond Maurice Blow, CP-51-CR-0007566-2013.

Defense is ready.

NCD- 05/07/2014.

SONINKE INTERPRETER NEEDED.

Earliest Possible Date given

Hon. Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson, Esq./ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail/ served for the next listing

5

05/05/2014

Court of Common Pleas -

Philadelphia County

**Hearing Notice** 

1

05/07/2014

Street, Sierra Thomas

Jury Selection

Hon. Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

2

05/07/2014

CP Courtroom Operations

Trial Continued

5

05/07/2014

Court of Common Pleas -

Philadelphia County

**Hearing Notice** 

6

05/07/2014

Street, Sierra Thomas

Jury Selection Completed

Hon. Sierra Thomas

ADA- Megan Koneski/ Def-Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

1

05/07/2014

Street, Sierra Thomas

Jury Sworn

Defendant arraigned at 3:07 PM, pleads NOT GUILTY to theft and theft property lost etc by mistake

**CPCMS 9082** 

Printed: 01/19/2015

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**CRIMINAL DOCKET** 

**Court Case** 

Commonwealth of Pennsylvania

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v. Saharo Sacko

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R

05/07/2014

Street, Sierra Thomas

Proposed Preliminary Instructions

Hon, Sierra Thomas

ADA- Megan Koneski/ Def- Sandra llene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

9

05/07/2014

Lewis, Kathryn Streeter

Opening Statements

Commonwealth- 3:17 PM - 3:23 PM Defense- 3:23 PM - 3:29 PM

Hon, Sierra Thomas

ADA- Megan Koneski/ Def- Sandra llene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

1

05/08/2014

Street, Sierra Thomas

Testimony Resumes

Hon. Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

2

05/08/2014

Street, Sierra Thomas

**Prosecution Rests** 

Hon. Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

3

05/08/2014

Street, Sierra Thomas

Defense Testimony Begins

Hon. Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

**CPCMS 9082** 

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Docket Number: CP-51-CR-0010492-2013

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05/08/2014

Street, Sierra Thomas

**Defense Rests** 

Hon, Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

5

05/08/2014

Street, Sierra Thomas

Closing Arguments

Defense- 2:07 PM - 2:25 PM Commonwealth- 2:26 PM - 2:34 PM

Hon. Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

6

05/08/2014

Street, Sierra Thomas

Jury Charged

Charge- 2:35 PM - 2:48 PM

Hon. Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

7

05/08/2014

Street, Sierra Thomas

**Due Deliberations** 

Hon, Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

8

05/08/2014

Street, Sierra Thomas

Question from Jury

Hon. Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt

Defendant on bail

**CPCMS 9082** 

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05/08/2014

Street, Sierra Thomas

Not Guilty

Hon. Sierra Thomas

ADA- Megan Koneski/ Def- Sandra Ilene Thompson/ Ct. Rept- Quadriyyah Taylor/ Ct. Clk- Lisa Corbitt Jury trial. Defendant adjudged NOT GUILTY by the jury.

bail

CASE FINANCIAL INFORMATION								
Last Payment Date:				Total of Last Payr	nent:			
Sacko, Saharo	Assessment	<u>Payments</u>	<u>Adjustments</u>	Non Monetary	<u>Total</u>			
Defend <b>a</b> nt				<u>Payments</u>	•			
Costs/Fees	-	. •						
ATJ	\$3.00	\$0.00	-\$3.00	\$0.00	\$0.00			
CJES	\$2.25	\$0.00	-\$2.25	\$0.00	\$0.00			
Crime Victims Compensation (Act 96 of 1984)	\$35.00	\$0.00	-\$35.00	\$0.00	\$0.00			
JCPS	<b>\$10.25</b>	\$0.00	-\$10.25	\$0.00	<b>\$0.0</b> 0			
Judicial Computer Project	\$8.00	\$0.00	-\$8.00	\$0.00	\$0.00			
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	-\$25.00	\$0.00	\$0.00			
Costs/Fees Totals:	\$83.50	\$0.00	-\$83.50	\$0.00	\$0.00			
Grand Totals:	\$83.50	\$0.00	-\$83.50	\$0.00	\$0.00			

<sup>\*\* -</sup> Indicates assessment is subrogated

**CPCMS 9082** 

# **VERIFICATION**

I verify that the statements made in this Complaint are true and correct. I understand that false statements herein are made subject to the penalties of perjury as they relate to unsworn falsification to authorities.

Saharo Sacko, Plaintiff